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April 25, 2007

**Via Email and 1<sup>st</sup> Class Mail**

John A. Carrigan, Section Chief  
Solid Waste Management  
DEP-Northeast Regional Office  
205B Lowell Street  
Wilmington, MA 01887

Matthew C. Ireland, Esq.  
Assistant Attorney General  
Environmental Protection Division  
Attorney General's Office  
100 Cambridge Street, 10<sup>th</sup> Floor  
Boston, MA 02114

**Re: New Ventures Associates, LLC; Crow Lane Landfill, Newburyport, MA;  
Blown Litter Plan**

Dear Mr. Carrigan and Attorney Ireland:

This office represents New Ventures Associates, LLC ("New Ventures") with respect to certain environmental conditions at the Crow Lane Landfill (the "Landfill").

The purpose of this letter is to respond to the Administrative Order issued on or about April 17, 2007.<sup>1</sup> In the Administrative Order the Department requests that New Ventures submit a blowing litter plan within seven (7) business days. Please be advised that New Ventures, while not having submitted a plan to the Department, has a four point litter plan. The New Ventures litter plan incorporates the following:

1. Trucks entering the facility shall have tarps covering their loads upon arrival. This will be verified by on-site personnel. The tarps will not be removed until the vehicle arrives at the Active Material placement area.
2. Tarps previously maintained on the inactive portions of the Landfill with sandbags will be replaced by six (6") inches of soil.<sup>1</sup> Landfill areas that are now considered as being inactive will also receive a six (6") inch layer of cover soils to prevent wind blown litter.

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<sup>1</sup> In accordance with the Administrative Penalty Regulations, while the Administrative Order is dated April 12, 2007, it was not sent until April 13, 2007 electronically and mailed on that date. The Order was received on or about April 17, 2007, noting that Monday, April 16, 2007 was a state holiday.

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3. Litter is picked up on a weekly basis, weather permitting, on-site, with a seasonal cleaning in the spring. More frequent policing of the site perimeter for litter will be performed as needed. Street sweeping utilized to clean up litter along Crow Lane.
4. A snow fence is maintained on the Crow Lane side of the Landfill (south side) to catch litter. The existing fencing will be reset and maintained to prevent fugitive wind blown litter.

Please note that New Ventures has not proposed to place any physical barriers on the west, north or east portions of the Landfill because of wetland encroachment considerations. Final cap construction related debris that had been observed at the site perimeter has been substantially removed. As noted in my telephone conversations with Attorney Ireland, New Ventures will be seeking permission to replace the use of tarps with soil over the inactive areas.

Please contact me if you have any questions.

Thank you.

Sincerely,

/s/

Richard A. Nylan, Jr.

RAN/kad

cc: Mr. William Thibeault  
Mr. Michael Quatromoni